



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Mary Mosher
Group Art Unit : 1648
Applicant : Bo Niklasson
Application No. : 09/147,801 Confirmation No. : 2230
Filed : March 11, 1999
For : NEW PICORNAVIRUSES, VACCINES AND
DIAGNOSTIC KITS

New York, New York
November 18, 2005

Mail Stop RCE
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT AND REPLY ACCOMPANYING
REQUEST FOR CONTINUED EXAMINATION

In further response to the February 11, 2005 Final Office Action and in response to the October 12, 2005 Advisory Action, applicant is filing a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

The Examiner had issued a Final Office Action on February 11, 2005 in the above-identified application.

Application No.: 09/147,801

Amendment and Reply Accompanying Request for Continued Examination dated November 18, 2005

Applicant submitted a Response to the Final Office Action on May 10, 2005, i.e., before the expiration of the shortened statutory period. Applicant was awaiting for an Advisory Action from the Examiner. An Advisory Action was not mailed until October 12, 2005, i.e., almost two months after the expiration of the statutory period which ended on August 11, 2005. Through inadvertance, no notice of appeal was filed. Accordingly, by the time the Advisory Action was mailed, the statutory period had expired.

It is not clear to applicant whether the amendments previously filed on May 10, 2005 have been entered by the Examiner because according to the October 12, 2005 Advisory Action, the Examiner stated that for purposes of appeal, the proposed amendments will be entered. Therefore, applicant is providing the following amendments and remarks which are identical to applicant's May 10, 2005 Reply to satisfy the submission requirement under 37 C.F.R. § 1.114. Applicant submits concurrently herewith a Petition for a three-month extension of time under 37 C.F.R. § 1.136(a) and the fee required under 37 C.F.R. § 1.17(a)(3).

Application No.: 09/147,801

Amendment and Reply Accompanying Request for Continued Examination dated
November 18, 2005

Please amend the above application as follows:

Amendments to the Claims are reflected in the
listing of claims which begins on page 4 of this paper.

Remarks begin on page 6 of this paper.